United Nations A/56/599

General Assembly

Distr.: General
26 November 2001
English
Original: Arabic

Fifty-sixth session
Agenda item 174

International convention against the reproductive cloning of human beings

Report of the Sixth Committee

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I. Introduction

1. The item entitled "International convention against the reproductive cloning of human beings" was included in the provisional agenda of the fifty-sixth session of the General Assembly at the request of France and Germany.

2. At its 3rd meeting, on 19 September 2001, the General Assembly, on the recommendation of the General Committee, decided to include the item in its agenda and to allocate it to the Sixth Committee.

3. The Sixth Committee considered the item at its 27th meeting, on 19 November. The views of the representatives who spoke during the Committee's consideration of the item are reflected in the relevant summary record (A/C.6/56/SR.27).

4. For its consideration of the item, the Committee had before it a letter dated 7 August 2001 from the Chargés d'affaires a.i. of the Permanent Missions of France and Germany to the United Nations addressed to the Secretary-General (A/56/192).

II. Consideration of draft resolution A/C.6/56/L.19

5. At the 27th meeting, on 19 November, the representative of France, on behalf of Algeria, Andorra, Austria, Azerbaijan, Bangladesh, Belgium, Brazil, Bulgaria, Canada, China, Costa Rica, Croatia, Denmark, Finland, Germany, Greece, Honduras, Hungary, Ireland, Italy, Jordan, Liechtenstein, Lithuania, Luxembourg, Malta, Monaco, Morocco, the Netherlands, Norway, Poland, Portugal, the Republic of Korea, Romania, the Russian Federation, San Marino, Sierra Leone, Slovakia, Slovenia, Spain, Sweden, Tunisia, the United Kingdom of Great Britain and Northern Ireland and Yugoslavia, subsequently joined by Cuba, Haiti, Nigeria, Peru,

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The former Yugoslav Republic of Macedonia and Uganda, introduced a draft resolution entitled "International convention against the reproductive cloning of human beings" (A/C.6/56/L.19).

6. At the same meeting, the Secretary of the Committee made a statement regarding the financial implications of the draft resolution (A/C.6/56/SR.27).

7. Also at the same meeting, the Committee adopted draft resolution A/C.6/56/L.19 without a vote (see para. 8).

III. Recommendation of the Sixth Committee

8. The Sixth Committee recommends to the General Assembly the adoption of the following draft resolution:

International convention against the reproductive cloning of human beings

The General Assembly,

Recalling the Universal Declaration on the Human Genome and Human Rights,[1] adopted by the General Conference of the United Nations Educational, Scientific and Cultural Organization in 1997, and in particular article 11 thereof, in which the Conference specified that practices which are contrary to human dignity such as reproductive cloning of human beings shall not be permitted and invited States and international organizations to cooperate in taking, at the national or international level, the measures necessary in that regard,

Recalling also its resolution 53/152 of 9 December 1998, by which it endorsed the Universal Declaration on the Human Genome and Human Rights,

Bearing in mind Commission on Human Rights resolution 2001/71 of 25 April 2001, entitled "Human rights and bioethics",[2] adopted at the fifty-seventh session of the Commission,

Noting the resolution on bioethics adopted on 2 November 2001 by the General Conference of the United Nations Educational, Scientific and Cultural Organization, in which the Conference approved the recommendations by the Intergovernmental Bioethics Committee towards the possible elaboration, within the United Nations Educational, Scientific and Cultural Organization, of universal norms on bioethics,

Aware that the rapid development of the life sciences opens up tremendous prospects for the improvement of the health of individuals and mankind as a whole, but also that certain practices pose potential dangers to the integrity and dignity of the individual,

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[1] United Nations Educational, Scientific and Cultural Organization, *Records of the General Conference, Twenty-ninth Session*, vol. I, *Resolutions*, resolution 16.

[2] See *Official Records of the Economic and Social Council, 2001, Supplement No. 3* (E/2001/23), chap. II, sect. A.

Particularly concerned, in the context of practices which are contrary to human dignity, about recently disclosed information on the research being conducted with a view to the reproductive cloning of human beings,

Determined to prevent such an attack on the human dignity of the individual,

Aware of the need for a multidisciplinary approach to the elaboration, by the international community, of an appropriate response to this problem,

1. *Decides* to establish an Ad Hoc Committee, open to all States Members of the United Nations or members of specialized agencies or of the International Atomic Energy Agency, for the purpose of considering the elaboration of an international convention against the reproductive cloning of human beings;

2. *Requests* the Secretary-General to invite the specialized agencies of the United Nations system that work in and have substantial interest in the field of bioethics, including, in particular, the United Nations Educational, Scientific and Cultural Organization and the World Health Organization, to participate as observers in the work of the Ad Hoc Committee;

3. *Decides* that the Ad Hoc Committee will meet from 25 February to 1 March 2002 to consider the elaboration of a mandate for the negotiation of such an international convention, including, inter alia, a list of the existing international instruments to be taken into consideration and a list of legal issues to be addressed in the convention, with the understanding that the Ad Hoc Committee will open with an exchange of information and technical assessments provided by experts on genetics and bioethics, and recommends that the work continue during the fifty-seventh session of the General Assembly from 23 to 27 September 2002 in the framework of a working group of the Sixth Committee;

4. *Requests* the Secretary-General to provide the Ad Hoc Committee with the necessary facilities for the performance of its work;

5. *Requests* the Ad Hoc Committee to report on its work to the General Assembly at its fifty-seventh session;

6. *Recommends* that, upon the adoption of a negotiation mandate by the General Assembly, it may decide, taking into account the acute nature of the problem, to reconvene the Ad Hoc Committee, in order to open negotiations on the international convention referred to in paragraph 1 above;

7. *Decides* to include in the provisional agenda of its fifty-seventh session the item entitled "International convention against the reproductive cloning of human beings".